

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION**

**CASE NO. 22-81945-MC-CANNON/Reinhart**

**STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY AND  
STATE FARM FIRE & CASUALTY COMPANY,**

Plaintiff,

v.

**HELDO GOMEZ,**

Defendant,

**J.P. MORGAN CHASE BANK, N.A. and  
FIRST-CITIZENS BANK & TRUST COMPANY,**

Garnishees.

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**ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
ON PLAINTIFFS' MOTION FOR FINAL JUDGMENTS OF GARNISHMENT**

**THIS MATTER** comes before the Court upon Magistrate Judge Bruce E. Reinhart's Report and Recommendation ("Report") on the Motion for Final Judgments of Garnishment ("Motion") filed by Plaintiffs, State Farm Mutual Automobile Insurance Company and State Farm Fire & Casualty Company ("State Farm") [ECF No. 48]. The Report recommends that the Court grant in part and deny in part the Motion, which seeks entry of final judgments of garnishment against J.P. Morgan Chase Bank, N.A. ("J.P. Morgan") and First-Citizens Bank & Trust Company ("FCB") [ECF No. 43]. Objections to the Report were due January 22, 2024 [ECF No. 48]. To date, no party has filed objections, and the time to do so has expired [ECF No. 49 (notice of non-objection by Plaintiff State Farm); ECF No. 51 (notice of non-objection by Defendant Heldo Gomez)].

### LEGAL STANDARD

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. *See* Fed. R. Civ. P. 72(b)(3); *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). A district court reviews de novo those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1). To the extent a party fails to object to parts of the magistrate judge's report, the Court may accept the recommendation so long as there is no clear error on the face of the record. *Macort*, 208 F. App'x at 784. Legal conclusions are reviewed de novo, even in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

### DISCUSSION

Following review, the Court finds no clear error in the Report. Accordingly, it is hereby

**ORDERED AND ADJUDGED** as follows:

1. The Report [ECF No. 48] is **ACCEPTED**.
2. Plaintiffs' Motion for Final Judgment on Garnishment is **GRANTED IN PART AND DENIED IN PART** [ECF No. 43].
3. Final judgment entered by separate order [ECF No. 52].
4. Order dissolving writ to follow by separate order.

**DONE AND ORDERED** in Chambers at Fort Pierce, Florida, this 27th day of January  
2024.

A handwritten signature in black ink, appearing to read 'Aileen M. Cannon', written over a horizontal line.

**AILEEN M. CANNON**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record